

FILED

08 JUN 10 AM 9:04

RICHARD V. WICKING
CLERK OF THE COURT
NORTHERN DISTRICT OF CALIFORNIAUNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

MATTHEW CRUZ,

Plaintiff,

vs.

RICHARD SUBIA, (Warden)

Defendant

CASE NO. C08-2793 MMC**PRISONER'S
APPLICATION TO PROCEED
IN FORMA PAUPERIS**

I, Matthew Cruz, declare, under penalty of perjury that I am the plaintiff in the above entitled case and that the information I offer throughout this application is true and correct. I offer this application in support of my request to proceed without being required to prepay the full amount of fees, costs or give security. I state that because of my poverty I am unable to pay the costs of this action or give security, and that I believe that I am entitled to relief.

In support of this application, I provide the following information:

1. Are you presently employed? Yes No X

If your answer is "yes," state both your gross and net salary or wages per month, and give the name and address of your employer:

25 Gross: _____ Net: _____

26 Employer: _____

27 _____

28 If the answer is "no," state the date of last employment and the amount of the gross and net salary

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1 and indicate how much you contribute toward their support. (NOTE: For minor
 2 children, list only their initials and ages. DO NOT INCLUDE THEIR NAMES.).
 3 _____
 4 _____

5. Do you own or are you buying a home? Yes No X

6. Estimated Market Value: \$ _____ Amount of Mortgage: \$ _____

7. Do you own an automobile? Yes No X

8. Make _____ Year _____ Model _____

9. Is it financed? Yes No If so, Total due: \$ _____

10. Monthly Payment: \$ _____

11. 7. Do you have a bank account? Yes No X (Do not include account numbers.)

12. Name(s) and address(es) of bank: _____
 13. _____
 14. Present balance(s): \$ _____

15. Do you own any cash? Yes No X Amount: \$ _____

16. Do you have any other assets? (If "yes," provide a description of each asset and its estimated
 17. market value.) Yes No
 18. _____

19. 8. What are your monthly expenses?

20. Rent: \$ Utilities:

21. Food: \$ Clothing:

22. Charge Accounts:

Name of Account	Monthly Payment	Total Owed on This Acct.
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<u>N/A</u>	\$ <u> </u>	\$ <u> </u>
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<u> </u>	\$ <u> </u>	\$ <u> </u>
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<u> </u>	\$ <u> </u>	\$ <u> </u>
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27. 9. Do you have any other debts? (List current obligations, indicating amounts and to whom

28. they are payable. Do not include account numbers.)

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1 and wages per month which you received. (If you are imprisoned, specify the last place of
2 employment prior to imprisonment.)

- 3 _____
4 _____
5 _____
- 6 2. Have you received, within the past twelve (12) months, any money from any of the following
7 sources:

- 8 a. Business, Profession or Yes ____ No
9 self employment
- 10 b. Income from stocks, bonds, Yes ____ No
11 or royalties?
- 12 c. Rent payments? Yes ____ No
- 13 d. Pensions, annuities, or Yes ____ No
14 life insurance payments?
- 15 e. Federal or State welfare payments, Yes ____ No
16 Social Security or other govern-
17 ment source?

18 If the answer is "yes" to any of the above, describe each source of money and state the amount
19 received from each.

20 _____
21 _____

22 3. Are you married? Yes ____ No

23 Spouse's Full Name: _____

24 Spouse's Place of Employment: _____

25 Spouse's Monthly Salary, Wages or Income:

26 Gross \$ _____ Net \$ _____

- 27 4. a. List amount you contribute to your spouse's support : \$ _____
28 b. List the persons other than your spouse who are dependent upon you for support
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2004 Supp. App. 14-B, p.34.

1
2
3 10. Does the complaint which you are seeking to file raise claims that have been presented in
4 other lawsuits? Yes No

5 Please list the case name(s) and number(s) of the prior lawsuit(s), and the name of the court in which
6 they were filed.

7
8
9 I consent to prison officials withdrawing from my trust account and paying to the court the
10 initial partial filing fee and all installment payments required by the court.

11 I declare under the penalty of perjury that the foregoing is true and correct and understand
12 that a false statement herein may result in the dismissal of my claims.

13

14 5-13-08

Matthew Cnz

15

DATE

SIGNATURE OF APPLICANT

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2004 Supp. App. 14-B, p.36

Case Number: _____

CERTIFICATE OF FUNDS

IN

PRISONER'S ACCOUNT

I certify that attached hereto is a true and correct copy of the prisoner's trust account statement showing transactions of MATTHEW Cruz for the last six months at [prisoner name]

Mule Creek where (s)he is confined.

[name of institution]

I further certify that the average deposits each month to this prisoner's account for the most recent 6-month period were \$ 16.25 and the average balance in the prisoner's account each month for the most recent 6-month period was \$ 6.31.

Dated: 5/30/08

Edward H. Stahl

[Authorized officer of the institution]

CALIFORNIA DEPARTMENT OF CORRECTIONS
 MULE CREEK STATE PRISON
 INMATE TRUST ACCOUNTING SYSTEM
 INMATE TRUST ACCOUNT STATEMENT

FOR THE PERIOD: NOV. 01, 2007 THRU MAY 30, 2008

ACCOUNT NUMBER : F03927
 ACCOUNT NAME : CRUZ, MATHEW MANUEL
 PRIVILEGE GROUP: A

BED/CELL NUMBER: CG0000000000162M
 ACCOUNT TYPE: I

TRUST ACCOUNT ACTIVITY

TRAN	DATE	CODE	DESCRIPTION	COMMENT	CHECK NUM	DEPOSITS	WITHDRAWALS	BALANCE
	11/01/2007		BEGINNING BALANCE					0.35
	11/05*VD54	INMATE PAYROL	OCT 1661		9.76			10.11
	11/07 FR01	CANTEEN RETUR	701702			0.10-		10.21
	11/08 WS12	LEGAL POSTAGE	1018 1736			4.60		5.61
	11/08 WS12	LEGAL POSTAGE	1102 1736			4.60		1.01
	11/16 WS12	LEGAL POSTAGE	1019 1868			1.01		0.00
	12/04*VD54	INMATE PAYROL	NOV 2031		2.68			2.68
	12/05 WS12	LEGAL POSTAGE	1101 2077			1.99		0.69
	12/06 WS16	LEGAL COPY CH	1101 2103			0.69		0.00
		ACTIVITY FOR 2008						
	03/04*VD54	INMATE PAYROL	FEB 3149		8.19			8.19
	04/02*VD54	INMATE PAYROL	MAR 3541		8.43			16.62
	05/05*VD54	INMATE PAYROL	APR 4031		8.43			25.05
	05/07 FC03	DRAW-FAC 3	C/1ST 4101			25.00		0.00

CURRENT HOLDS IN EFFECT

DATE PLACED	HOLD CODE	DESCRIPTION	COMMENT	HOLD AMOUNT
05/22/2008	H118	LEGAL COPIES HOLD	0521 4338	17.60

* RESTITUTION ACCOUNT ACTIVITY

DATE SENTENCED: 11/16/05
 COUNTY CODE: SON

CASE NUMBER: MCR448576
 FINE AMOUNT: \$ 8,400.00

DATE	TRANS.	DESCRIPTION	TRANS. AMT.	BALANCE
11/01/2007		BEGINNING BALANCE		8,311.31

MULE CREEK STATE PRISON
INMATE TRUST ACCOUNT STATEMENT

FOR THE PERIOD: NOV. 01, 2007 THRU MAY 30, 2008

ACCT: F03927

ACCT NAME: CRUZ, MATHEW MANUEL

ACCT TYPE: I

* RESTITUTION ACCOUNT ACTIVITY

DATE SENTENCED: 11/16/05

CASE NUMBER: MCR448576

COUNTY CODE: SON

FINE AMOUNT: \$ 8,400.00

DATE	TRANS.	DESCRIPTION	TRANS. AMT.	BALANCE
11/05/07	VR54	RESTITUTION DEDUCTION-SUPPORT	10.83-	8,300.47
12/04/07	VR54	RESTITUTION DEDUCTION-SUPPORT	2.96-	8,297.51
03/04/08	VR54	RESTITUTION DEDUCTION-SUPPORT	9.09-	8,288.42
04/02/08	VR54	RESTITUTION DEDUCTION-SUPPORT	9.36-	8,279.06
05/05/08	VR54	RESTITUTION DEDUCTION-SUPPORT	9.36-	8,269.70

* THIS STATEMENT DOES NOT REFLECT THE ADMINISTRATIVE FEE CHARGE THAT *
 * IS EQUAL TO TEN PERCENT OF THE RESTITUTION AMOUNT COLLECTED. *

TRUST ACCOUNT SUMMARY

BEGINNING BALANCE	TOTAL DEPOSITS	TOTAL WITHDRAWALS	CURRENT BALANCE	HOLDS BALANCE	TRANSACTIONS TO BE POSTED
0.35	37.49	37.79	0.05	17.60	0.00



THE WITHIN INSTRUMENT IS A CORRECT
 COPY OF THE TRUST ACCOUNT MAINTAINED
 BY THIS OFFICE.
 ATTEST: 5.30.08
 CALIFORNIA DEPARTMENT OF CORRECTIONS
 BY Insalata, A.J.
 TRUST OFFICE

CURRENT
AVAILABLE
BALANCE

17.55-



UNITED STATES POSTAGE
\$ 00.18⁰
MINI BOWIES
02 1M 0004214248 JUN 06 2008
MAILED FROM ZIP CODE 95640

